

Staff Summary Report



Council Meeting Date: 07/10/03

Agenda Item Number: 56

SUBJECT: This is a the first public hearing for **QUIKTRIP #467** for a General Plan 2020 Amendment from Residential greater than 8 units per acre to Commercial: Retail land use designation on 3.01 gross acres, a zoning change from RO to R1-6, a Preliminary and Final Plat and a General Plan of Development for a convenience store with fuel pumps and a Final Plan of Development for Phase I at 3875 South Priest Drive.

DOCUMENT NAME: 20030710dsd2k05

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold the first public hearing for **QUIKTRIP #467** (QuikTrip Corporation, property owner) located at 3875 South Priest Drive, including the following:

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#GEP-2003.02 Resolution No. 2003.09, for a General Plan 2020 Amendment from Residential greater than 8 units per acre to Commercial: Retail land use designation on 3.01 gross acres.

#ZON-2003.05 Ordinance No. 808.2003.05 for a zoning change from RO, Residential Office and R1-6, Single Family Residential, to PCC-1, Planned Commercial Center on 3.01 gross acres.

#SBD-2003.22 A Preliminary and Final Plat for one lot on 1.95 net acres (QuikTrip site only).

#SGF-2003.21 for a General Plan of Development consisting of a 5,419 s.f. convenience store with fuel pumps and a three-level 47,940 s.f. self-storage facility all on 2.79 net acres, and a Final Plan of Development for Phase 1, a 5,419 s.f. convenience store with fuel pumps (9,878 s.f. for canopy) on 1.95 net acres, (see use permits and variances on Attachment #8).

PREPARED BY: DeeDee (D²) Kimbrell, Planner II (480-350-8438)

REVIEWED BY: Steve Venker, Planning & Zoning Manager (480-350-8920)

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Denial

ADDITIONAL INFO: QuikTrip Corporation and an adjacent property owner are proposing a new development for three properties. They are requesting a change in General Plan 2020, a change in zoning, a subdivision plat and a General Plan of Development for a convenience store with fuel pumps and a self-storage facility and a Final Plan of Development for Phase 1 (convenience store with fuel pumps). Also being requested with this proposal are two (2) use permits and seven (7) variances. The applicant is proposing the projected land use designation of General Plan 2020 be modified from Residential: greater than 8 dwelling units per acre to Commercial. The intent is to build the project in two (2) phases. Phase 1 includes a 5,419 s.f. convenience store with fuel pumps including a 9,878 s.f. canopy. Phase 2 will include a three (3) level self-storage facility consisting of 47,940 s.f. One (1) level below grade and two above grade, with a maximum height of 28 feet above grade. Staff believes that the proposed fuel dispensing facility use is not appropriate for this location, it exceeds the neighborhood level services. However, staff could support a commercial land use designation at this location given the appropriate site plan that would be more compatible with the adjacent neighborhood. Staff could also support the storage facility given the appropriate setback and building design to provide some relief to the adjacent neighbors. To date, staff has received three (3) letters of opposition, one (1) letter of support and several phone calls expressing concerns regarding this proposal. **Note: Although nothing has changed since the June 10, 2003, Planning Commission public hearing, this application has been re-advertised due to public notification error and Commission is holding their second public hearing on July 8, 2003.**

- ATTACHMENTS:**
1. List of Attachments
 - 2-5. Comments
 5. Reasons for Denial
 - 5-7. Conditions of Approval
 7. History & Facts
 - 7-8. Description

- A. Location Map
- B. General Plan 2020 Map
- C. Quantitative Analysis / Letter of Justification
- D. Planned Area of Development (PAD)
- E. QuikTrip Floor Plans
- F. QuikTrip Elevations
- G. Storage Facility Floor Plans
- H. Storage Facility Elevations
- I. Landscape Plan
- J. Subdivision Plat
- K. Letters of Opposition
- L. Letter of Support
- M. Ordinance No. 2003.05
- N. Resolution No. 2003.09
- O. Aerial Photo

COMMENTS: This request is for an amendment to General Plan 2020, an amendment to the zoning map, a subdivision plat and a General Plan of Development for a convenience store with fuel pumps and a self-storage facility and a Final Plan of Development for Phase 1 (convenience store with fuel pumps), located at the northeast corner of Priest and Manhattan Drives. The developer's intent is to build the project in two (2) phases. First phase includes a 5,419 s.f. convenience store with fuel pumps including a 9,878 s.f. canopy. Second phase consists of a three-level 47,940 s.f. self-storage facility.

General Plan 2020

The applicant is proposing that the projected land use designation of General Plan 2020 be modified from Residential: greater than 8 dwelling units per acre to Commercial. This designation accommodates the full scope of commercial and retail as well as office uses. The proposed amendment could provide neighborhood level services to the area.

Traditionally higher density residential and commercial use designations have been utilized as a buffer between arterial streets and lower density residential. This proposed designation is consistent with our philosophy as to use a little more intense use as a buffer along the arterial street and the single family residential, for protection to the neighborhood.

Zoning

Included with this proposal is a change in the current zoning for all 3 lots totaling 3.01 gross acres. The 2 southern-most properties (Phase 1) are currently zoned RO, Residential Office and are vacant. The northern property (Phase 2) is currently zoned R1-6, Single Family Residential with an existing single family residence and storage area. All three properties are requesting rezoning to PCC-1, Planned Commercial Center.

Land Use

From the outset of the review process, staff expressed opposition to the use permit and variances for the proposed convenience store/fuel dispensing facility use as not forming a compatible match for this infill site. The reasons were derived from the following:

- ◆ In accordance with the General Plan 2020 that more intense land uses, especially those dependent on heavy traffic generation should be relegated to arterial intersections.
- ◆ With limited developable sites remaining in Tempe, the City should encourage high quality infill projects that promotes optimum uses and exemplify the highest standards, not merely the bare functional essentials to satisfy market conditions.

The proposed amendment is consistent with the Land Use Objective, which encourages continued growth in Tempe through infill development and redevelopment. The proposed land use could provide neighborhood services. However, the facility exceeds in scale, the neighborhood service needs.

Site Analysis

Phase I (QuikTrip) of the proposed development is oriented in the center of the southern parcel on a north/south axis facing Priest Drive with the fueling islands located just west of the convenience store. Neighborhood residents and staff are concerned with the intense use and the potential of increase in traffic through their neighborhood.

One of the Land Use Principles in General Plan 2020 states that the proposed development should incorporate quality of life elements, reflect quality physical development characteristics (such as unique site design, building design and landscaping), integrate and or provide access between varied uses, deal creatively with all modes of transportation, create meaningful and viable common open space, parks, and or green belts, reduce/eliminate physical barriers as well as provide for residential, educational and shopping opportunities. Staff believes that this Land Use Principle is not being met, in that this proposal is not integrating unique site design and building design and is not providing access between varied uses. The developer is trying to incorporate an over-sized corporate/commercial gas facility into a residential area. Let's put it this way, "they're trying to put three pounds of peanut butter in a one pound jar."¹ The canopy alone is approximately 120 feet long (north/south) by 62 feet wide (east/west) and 19 to 23 feet in height. It overpowers the site and the neighborhood. Staff is not opposed to commercial development for this area, however this proposed plan is not designed at the neighborhood scale.

Site Circulation

Circulation for the proposal functions individually on each lot with no cross access between the two lots/phases. Staff believes that the circulation will function more efficiently if there were cross access between the two lots. Since the initial application, the applicant has modified the site plan for phase 2 (McPeters Storage Facility) to help address some of the circulation concerns that staff had regarding parking lot maneuvering.

Use Permits and Variances

Two (2) use permits are being requested with this proposal. One is to allow a convenience store with a fuel dispensing facility in the PCC-1 Zoning District and the other is to allow a self-storage facility in the PCC-1 Zoning District. There are also 7 variances requested with this proposal.

- ◆ Variance "a" is to allow a fuel pump facility to be located away from an arterial street intersection.
- ◆ Variance "b" is to waive the required eight feet high masonry wall along an interior property line of a fuel pump facility. This request is intended to ensure that the QuikTrip store is properly screened from adjacent uses. The remaining variances are for required building setbacks and screen walls for Phase 2.
- ◆ Variance "c" is to reduce the minimum required side yard building setback along the south property from 40 feet to 0 feet. This is more of a technical variance between the 2 Phases.
- ◆ Variance "d" is to reduce the minimum required building setback for a building higher than 15 feet next to residential district along the north property from 53 feet to 27 feet. The required setback is established at 53 feet based upon a proposed building height of 28. For each additional foot in height over 15 feet, 1 foot is added to the required setback. Therefore, a 13 foot building setback must be provided in addition to the base requirement of 40 feet.
- ◆ Variance "e" is to reduce the minimum required building setback for a building taller than 15 feet next to residential district along the east property line of Phase 2, from 53 feet to 20 feet.
- ◆ Variance "f" is to reduce the minimum required height for the masonry wall along the north property line of Phase 2 from eight feet to six feet, beginning at a point approximately 210 feet from the northeast corner of the property and extending west

¹ Fred Brittingham, Planning Director – City of Tempe

approximately 16 feet to the parking screen wall.

- ◆ Variance “g” is to allow the trash enclosure and parking lot maneuvering area to encroach into the required landscape buffer so that the required landscape buffer along the north property line of Phase 2 is reduced from 15 feet to 0 for the trash enclosure and from 15 feet to 10 feet east and west of the trash enclosure.

Evaluating the use permit, it appears that the fuel dispensing facility proposal does not pass the use permit tests listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas; or
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions; or
- c. Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City’s adopted plans, or General Plan; or
- d. Compatibility with existing surrounding structures and uses; or
- e. Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public.

Evaluating the requested variances, it appears that the fuel pumps facility proposal do not pass the variance tests listed below:

1. A variance shall not be authorized unless the application provides sufficient evidence:
 - a. That there are special circumstances or conditions applying to the land, building or use referred to in the application; and
 - b. That the authorizing of the variance is necessary for the preservation and enjoyment of substantial property rights; and
 - c. That the authorizing of the application will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general.

The burden of proof for satisfying the aforementioned requirements shall rest with the applicant. A refusal of the use permit and variance shall not be interpreted as denial of a right, conditional or otherwise.

Neighborhood Concerns

- ◆ Massive fuel canopy
- ◆ Not compatible with the adjacent neighborhood
- ◆ Property values will diminish
- ◆ Traffic on Manhattan will increase – cut through traffic
- ◆ Driveway on Manhattan
- ◆ Inconvenienced by traffic
- ◆ Increase of noise due to 24 hour operation
- ◆ Homes adjacent to gas station
- ◆ Fumes produced by the fuel
- ◆ Light trespass
- ◆ Too many fuel pumps

Other Concerns

- ◆ 24 hour operation and impact on adjacent residential areas (noise, lights)
- ◆ Ingress/egress circulation at the southern driveway (Manhattan Drive)
- ◆ Intensity of use, scale and number of fuel pumps (10 pumps)

Conclusion

Staff has continuously advised the applicant of possible neighborhood concerns, land use issues and the overall impact on the neighborhood. The applicant's decision was to go forward with the application process. To date, staff has received three (3) letters of opposition, one (1) letter of support and several phone calls from surrounding property owners expressing concerns regarding the proposed fuel pumps. Staff's position continues to be that the proposed location for this fuel center facility is not appropriate for this location therefore, recommends denial. However, staff is not opposed to commercial development for this area, nonetheless we believe this proposed plan is not designed at the appropriate neighborhood scale.

REASON(S) FOR

- DENIAL:**
1. The proposed convenience store with a fuel dispensing facility (10 pumps) for QuikTrip appears to be inappropriate for this location.
 2. There are no special circumstances or conditions applying to the land, building, or the proposed use.
 3. The authorization of the variance is not necessary for the preservation and enjoyment of substantial property rights.
 4. Land uses that entail heavy traffic generation should be located at arterial intersections.
 5. More intense land uses, especially those dependent on heavy traffic generation should be located at arterial intersections.

SHOULD THE COMMISSION ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD BE ATTACHED

CONDITION(S) OF APPROVAL:

1. a. The Public Works Department shall approve all roadway, alley, and utility easement dedications, driveways, storm water retention, and street drainage plans, water and sewer construction drawings, refuse pickup, and off-site improvements.
- b. Off-site improvements to bring roadways to current standards include:
 - (1) Water lines and fire hydrants
 - (2) Sewer lines
 - (3) Storm drains.
 - (4) Roadway improvements including streetlights, curb, gutter, bikepath, sidewalk, bus shelter, and related amenities.

- c. Fees to be paid with the development of this project include:
 - (1) Water and sewer development fees.
 - (2) Water and/or sewer participation charges.
 - (3) Inspection and testing fees.
- d. All applicable off-site plans shall be approved prior to recordation of Final Subdivision Plat.
- 2. a. All street dedications shall be made within six (6) months of Council approval.
- b. Public improvements must be installed prior to the issuance of any occupancy permits. Any phasing shall be approved by the Public Works Department.
- c. All new and existing, as well as on-site and off-site, utility lines (other than transmission lines) shall be placed underground prior to the issuance of an occupancy permit for this (re)development in accordance with the Code of the City of Tempe - Section 25.120.
- 3. No variances may be created by future property lines without the prior approval of the City of Tempe.
- 4. A valid building permit shall be obtained and substantial construction commenced **within one year of the date of Council approval**, or the variance(s) and use permit(s) shall be deemed null and void.
- 5. A building permit shall be obtained and substantial construction commenced **within two years of the date of Council approval**, or the zoning shall revert to that in place at the time of application, subject to a public hearing.
- 6. The applicant shall comply with all applicable state and federal laws regarding archeological artifacts on this site.
- 7. The use permits are non-transferable and is issued to the QuikTrip Corporation and McPeters Storage Facility only, respectively.
- 8. Any intensification or expansion of the use shall require the applicant to return to the City Council for further review.
- 9. The applicant must meet the Ordinance requirement for art-in-private-development for a development that equals or exceeds 50,000 g.s.f. Contact the Cultural Services Department of the City of Tempe for more information. Written confirmation from Cultural Services verifying submittal of an Initial Art Project Plan, must be submitted to Planning staff prior to the issuance of building permits.
- 10. The applicant shall resolve all lighting and security details with the Planning and Police Department staff prior to the issuance of a building permit.
- 11. The General and Final Plan of Development and Final Subdivision Plat shall be recorded prior to the issuance of permits.
- 12. The General and Final Plan of Development shall be put into proper engineered format with appropriate signature blanks and recorded with the Maricopa County Recorder's

Office through the City of Tempe's Development Services Department **within one year of the date of Council approval**. Failure to record the plan within one year of Council approval shall make the plan null and void.

13. The Final Subdivision Plat shall be put into proper engineered format with appropriate signature blanks and recorded with the Maricopa County Recorder's Office through the City of Tempe's Development Services Department **within one year of the date of Council approval**. Failure to record the plan within one year of Council approval shall make the plan null and void.

HISTORY & FACTS:

April 16, 1987.

City Council approved a request for a zoning change from R1-6 to R/O, on a site of 2.77 acres, which included this site, at 3825 South Priest Drive. A variance to increase the allowable building height from 15 ft. to 30 ft. was also approved. These approvals have lapsed.

August 29, 1996.

City Council approved Priest Drive Office Building for # GEP-96.40, Resolution No. 96.34, General Plan Amendment to change the designation on the Projected Land use Map of the General Plan 2000 from Residential (11-15 du/ac) to Commercial: Office/Service, #ZON-96.08 Ordinance 808.9607, Zoning change from R1-6, Single-family Residential District to R/O, Residence Office District and #SIP-96.41 Site plan consisting of 31,000 s.f. building with one variance to increase the maximum allowed building height from 15' to 30'.

October 23, 1997.

City Council approved the request by priest Drive Office Building for a time extension of condition of approval #4.

Condition #4: A valid building permit shall be obtained and substantial construction commenced within one year of the date of Council approval or the variance shall be deemed null and void.

April 22, 2003.

Planning Commission held their first public hearing to gather public input for the General Plan 2020 Amendment.

May 13, 2003.

At the applicant's request the Planning Commission continued this hearing for this case to May 27, 2003.

May 27, 2003.

At the applicant's request the Planning Commission continued this hearing for this case to June 10, 2003.

July 8, 2003.

Planning Commission held their second public hearing for a General Plan 2020 Amendment, and a public hearing for a zoning change, a Preliminary and Final Plat and a General Plan of Development for a convenience store with fuel pumps and a Final Plan of Development for Phase I.

DESCRIPTION: Owner – QuikTrip Corporation, Dan Bonow & William McPeters
Applicant – QuikTrip Corporation, Dan Bonow
Architect - Irby Studios Architects, Mark Irby
Land Surveyor – Landmark Engineering, Jess Alvarez

General Plan 2020 Amendment

Existing General Plan 2020 Designation – Residential; greater than 8 units per acre

Proposed General Plan 2020 Designation – Commercial; Retail

Total site area – 3.01 net acres

Zoning

Existing zoning – RO, Residential Office

Proposed zoning – PCC-1, Planned Commercial Center

Total site area – 3.01 net acres

General Plan of Development

Building area – 63,237 s.f. (including canopy)

Lot coverage – 25%

Landscape coverage – 35%

Phase 1 – QuikTrip (Final Plan of Development)

Convenience store – 5,419 s.f.

Fuel island canopy – 9,878 s.f.

Lot Coverage – 18%

Landscape coverage – 40%

Parking required – 20 spaces

Parking provided – 31 spaces

Bicycle parking required – 3 spaces

Bicycle parking provided – 3 spaces

Phase 2 – Storage Facility

1st Level – 15,980 s.f.

2nd Level – 15,980 s.f.

3rd Level – 15,980 s.f.

Total – 47,940 s.f.

Lot coverage – 43%

Landscape coverage – 22%

Parking required – 10 spaces

Parking provided – 13 spaces

Bicycle parking required – none

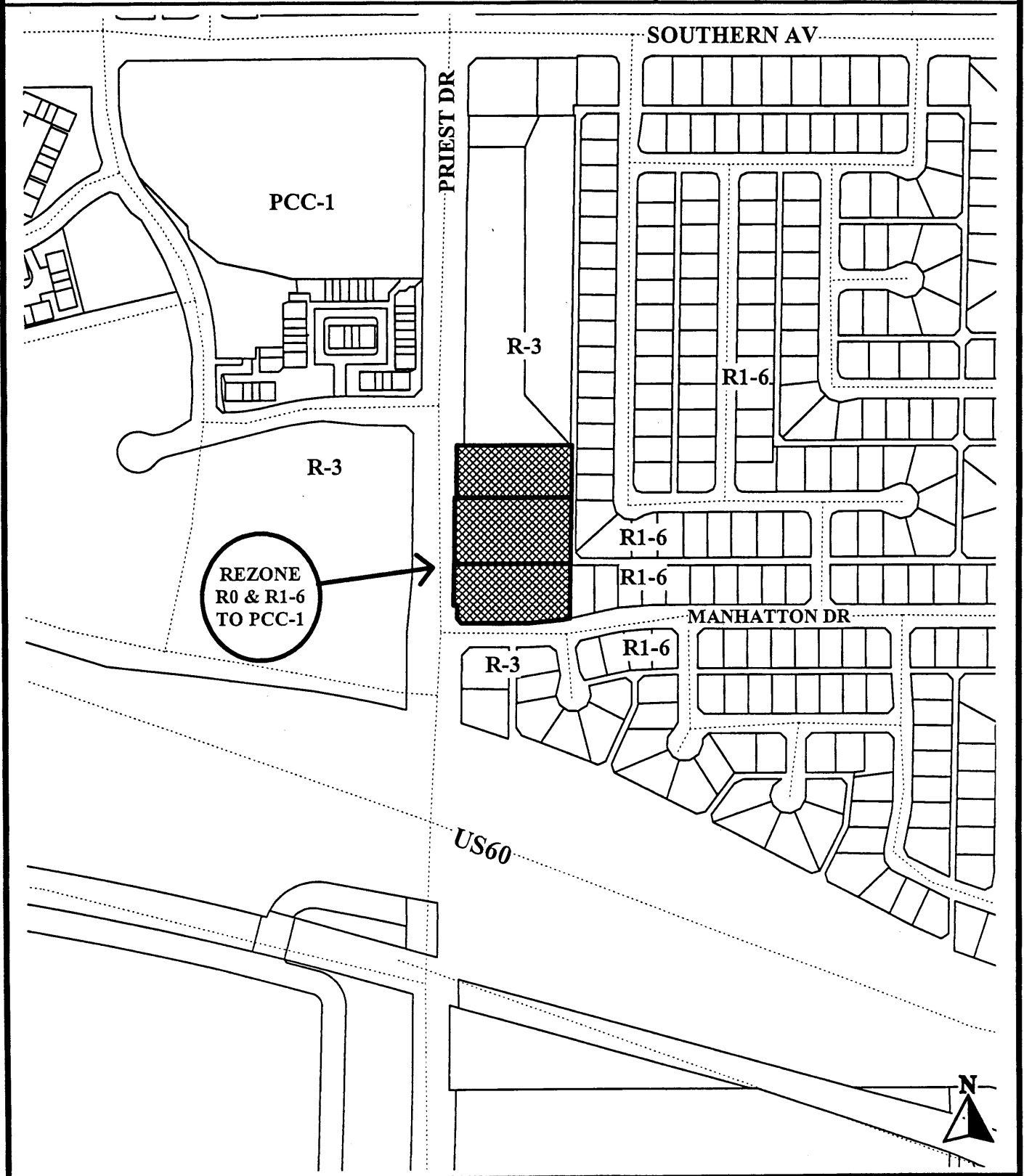
SGF-2003.21

Use Permits:

1. Allow a 5,419 s.f. convenience store with fuel pumps in the PCC-1 Zoning District.
2. Allow a 47,940 s.f. self-storage facility in the PCC-1 Zoning District.

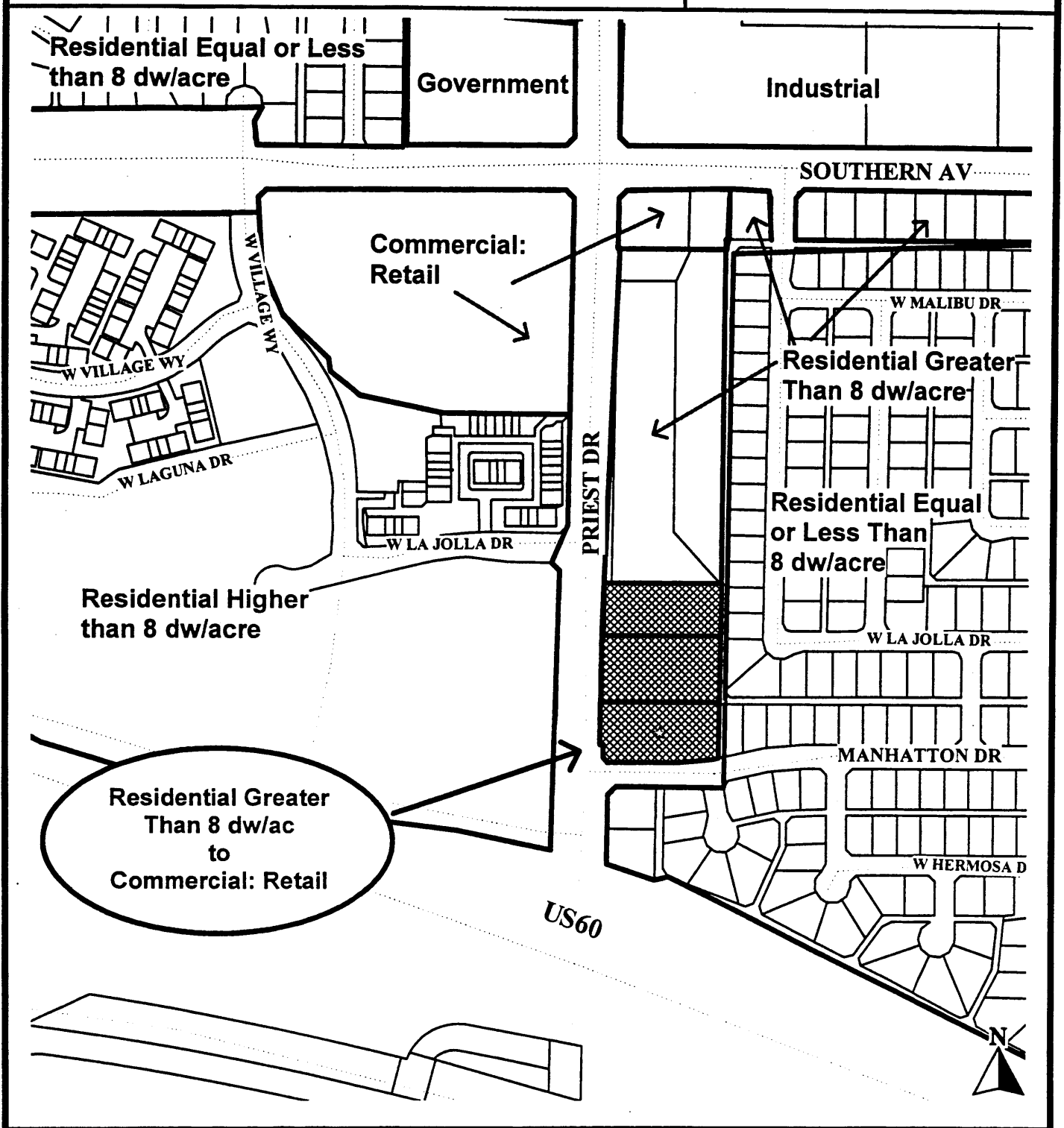
Variances:

- a. Allow a fuel pump facility to be located away from two major arterial intersection streets.
- b. Waive the required eight feet high masonry wall along an interior property line of a fuel pump facility.
- c. Reduce the minimum required side yard building setback, along the south property line, Phase 2, from 40 feet to zero feet.
- d. Reduce the minimum required building setback for a building higher than 15 feet next to residential district along the north property line of Phase 2, from 53 feet to 27 feet.
- e. Reduce the minimum required building setback for a building higher than 15 feet next to residential district along the east property line of Phase 2, from 53 feet to 20 feet.
- f. Reduce the minimum required height for the masonry wall along the north property line of Phase 2 from eight feet to six feet, beginning at a point approximately 210 feet from the northeast corner of the property and extending west approximately 16 feet to the parking screen wall.
- g. Allow the trash enclosure and parking lot maneuvering area to encroach into the required landscape buffer so that the required landscape buffer along the north property line of Phase 2 is reduced from 15 feet to zero for the trash enclosure and from 15 feet to 10 feet east and west of the trash enclosure.

QUIKTRIP #467
**ZON 2003.05
SGF 2003.21**

Location


QUIKTRIP #467

GEP 2003.02



Location

B

APPLICATION TO AMEND GENERAL PLAN

**QuikTrip No. 467
3875 S. Priest Drive**

QuikTrip Corporation and an adjacent property owner propose a new development for three properties comprising 3.02 gross acres located on the east side of Priest drive, north of Manhattan Drive in Tempe. The Land Use Map of the City of Tempe General Plan 2020 designates the properties as Residential at a density of greater than eight (8) units per acre, the most intense residential category. The two southern-most properties are currently zoned R-O and are vacant. The northern property is zoned R1-6 and is developed with a single-family residence and storage area. This proposal seeks to amend the Land Use Map of the City of Tempe General Plan 2020 from Residential – Greater than 8 dwelling units per acre to Commercial – Retail.

The General Plan includes a variety of goals and objectives which, if applicable, are to be used in determining the appropriateness of proposed land uses and developments within the City of Tempe. The proposed amendment is consistent with the Land Use Objective that encourages continued growth in Tempe through infill development and redevelopment. Additionally, the proposed amendment will provide services in immediate proximity to areas that may use the services, thereby reducing the number and length of automobile trips.

The prescribed process to amend the General Plan Land Use Map includes the response to certain questions regarding the proposal. This narrative shall address these questions and provide additional information in support of the requested amendment.

Land Use. The City of Tempe's housing mix is approximately 50% single-family homes and 50% multi-family units. The subject properties are currently designated for multi-family residential. An existing multi-family apartment complex comprising more than 31 acres of land under the R-3 zoning category exists immediately to the west, across Priest Drive. Additionally, a multi-family development under the R-3 zoning category exists immediately to the north. The proposal to amend the General Plan Land Use designation to Commercial will not impact the amount of multi-family units provided in the City of Tempe.

The proposed amendment to the General Plan Land Use Map will provide needed neighborhood and sub-regional services at an appropriate location. The subject properties are located on Priest Drive, a major arterial roadway with a half-diamond interchange with the U.S. 60 Freeway, located approximately 500 feet to the south. The provision for commercial land use in immediate proximity to the U.S. 60 Freeway is appropriate. Land use in proximity to major regional transportation corridors not only serves residents and local travelers but also serves regional travelers.

Neighborhood Stability. The proposal to provide development on two undeveloped parcels and to re-develop a residential property that is impacted by the change in land use and traffic intensity along Priest Drive will serve to stabilize the adjacent residential areas. Undeveloped properties located on major arterial roadways do not assist in buffering adjacent residential lands from the

impact of these intense roads. Through the development of these properties, adjacent residential areas are enhanced and the impacts of major roadway traffic are lessened.

The proposed amendment to the General Plan Land Use Map will intensify the land use proposed for the subject properties. However, this intensification is appropriate given the location of the properties. Commercial development on the subject properties will provide neighborhood services and minimize travel distances for area residents.

Traffic. Commercial land use on the subject properties will not have an impact on existing or anticipated traffic volumes or traffic patterns. Estimated traffic counts on Priest Drive in the vicinity of the subject properties exceed 30,000 vehicle trips per day. Arizona Mills, the regional commercial mall, is located on the west side of Priest Drive, just south of the U.S. 60 Freeway. The existing half-diamond interchange at the U.S. 60 Freeway provides direct access to a regional traffic carrier.

Recreation and Public Schools. The proposed amendment does not create a need for recreational amenities and does not have any impact on public schools.

REZONING, SITE PLAN, USE PERMITS and VARIANCES

**QuikTrip # 467
3875 S. Priest Drive**

Narrative

QuikTrip Corporation and Mr. Bill McPeters, an adjacent property owner, propose a new development for three properties comprising 3.02 gross acres located on the east side of Priest Drive, north of Manhattan Drive in Tempe. The two southern-most properties are currently zoned R-O and R1-6 and are vacant. The northern property is zoned R1-6 and is developed with a single-family residence and storage area.

This proposal includes an application for rezoning from R-O and R1-6 to PCC-1, a General and Final Plan of Development for Phase One (QuikTrip) and General Plan of Development for Phase Two (McPeters Self-Storage). Included with this application are the following actions:

Use Permits.

1. A Use Permit for a Service Station in the PCC-1 zoning district; and
2. A Use Permit for a self-storage facility in the PCC-1 zoning district.

Variances.

1. To allow a Service Station at other than the intersection of arterial streets (Phase 1);
2. To waive the required 8-foot high masonry wall around a Service Station (Phase 1);
3. To reduce the minimum required side yard building setback along the south property line of Phase 2 from forty (40) to zero (0) feet;
4. To reduce the minimum required building setback for a building taller than fifteen (15) feet adjacent to a residential zoning district along the north property line of Phase 2 from fifty-three (53) feet to twenty-seven (27) feet; and
5. To reduce the minimum required building setback for a building taller than fifteen (15) feet adjacent to a residential zoning district along the east property line of Phase 2 from fifty-three (53) feet to twenty (20) feet.
6. To reduce the minimum required height for a masonry wall along the north property line of Phase 2 from eight (8) feet to six (6) feet, beginning approximately 210 feet west of the northeast corner of the site and extending west approximately 16 feet; and

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7. To allow a trash enclosure and parking maneuvering area to encroach into the required landscape buffer thereby reducing the required landscape buffer along a portion of the north side of Phase 2 from fifteen (15) feet to zero (0) feet for the trash enclosure and from fifteen (15) feet to ten (10) feet immediately east and west of the trash enclosure.

The south portion of the property is currently approved for office use under the R-O zoning category and the north portion is zoned R1-6. Rezoning to PCC-1 is proposed. Phase One will include a gasoline sales facility, to be owned and operated by QuikTrip Corporation. The proposed development comprises a single building for retail sales comprising 5,419 square feet. The facility is oriented toward Priest Drive. The gasoline canopy is located in front of the retail building, along Priest Drive. Parking for the project is located adjacent to the building and perpendicular to the building to the north of the building along the north property line. A total of thirty-one (31) parking spaces are provided for this use.

Phase Two will include a self-storage facility in a single building comprising 47,940 square feet. The building will be three levels, one below grade and two above grade, at a maximum height of 26 feet above grade with each level comprising 15,980 square feet of floor area. The self-storage facility is oriented toward Priest Drive. Parking for the project is located to the west of the building, adjacent Priest Drive. A total of thirteen (13) parking spaces are provided for this use.

Priest Drive serves an arterial roadway in this area. Limited access to the US 60 Freeway (Superstition Freeway), located approximately 500 feet to the south, is available at Priest Drive by a half-diamond interchange providing east-bound US 60 access from Priest Drive and exiting for west-bound US 60 traffic to Priest Drive. Driveway access for the QuikTrip facility is provided from both Priest Drive and Manhattan Drive, respectively. Driveway access for the self-storage facility is provided from Priest Drive.

The QuikTrip facility provides a fifty-four (54) foot building setback and landscape area along the east portion of the site to provide a buffer between the project and our residential neighbors to the east. Along Manhattan Drive to the south of the proposed retail building, the landscape area expands to more than ninety (90) feet in depth. Landscape areas of a minimum of twenty-five (25) feet in depth are provided along the Priest Drive and Manhattan Drive frontages. Storm water retention areas are proposed within the designated landscape areas.

The self-storage building has been placed near the common property line with QuikTrip. Building setbacks of twenty (20) along the east property line and twenty-seven (27) feet along the north property line are provided. These setback areas are landscaped to additionally buffer the adjacent residential uses. Storm water retention is proposed within the designated landscape areas.

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The City of Tempe Zoning Ordinance requires that a Use Permit be obtained for service stations in the PCC-1 zoning district and that a Use Permit be obtained for a self-storage facility in the PCC-1 zoning district. In conjunction with the required service station Use Permit, a variance to allow a service station at other than a major arterial intersection is necessary. The proposed location does not meet this criterion, thereby necessitating a variance. An additional variance is sought to step down the required masonry wall proposed along the north property line. Our proposal is to provide an eight (8) foot high wall along the north property line extending west from the existing alley adjacent to the property for a distance of 91 feet, 8-inches, then step down to a six (6) foot high wall extending further west approximately 89 feet, then stepping down again to a three (3) foot high wall extending further west to the Priest Drive landscape setback. Building setback variances are also proposed for the south and north side yards and east rear yard for Phase Two.

The property is located in an area that is predominately developed. Predominate land use is multi-family apartments and single-family residences. However, the character of Priest Drive is not one of residential, but industrial and employment uses to the north of Southern Avenue and retail uses south of the US 60 Freeway. With the development of Arizona Mills Mall, located on the west side of Priest Drive, just south of the US 60 Freeway and the completion of the half-diamond interchange at US 60, Priest Drive now serves as a major arterial between Baseline Road and Southern Avenue.

Area land use includes single-family residential under the R1-6 zoning district located to the east and southeast, two multi-family four-plex units under the R-3 zoning district located to the south, across Manhattan Drive, a three-story apartment development under the R-3 zoning district located to the west, across Priest Drive and at the confluence of the I-10 Freeway and the US 60 Freeway, and an apartment complex currently zoned R-3 located to the north.

The proposed development will provide services for area residents and travelers along Priest Drive. The QuikTrip retail store provides an excellent variety of foods and merchandise that is more like a small grocery store than a convenience store. The self-storage facility will provide storage services for area residents and serve to buffer the adjacent residential areas from Priest Drive.

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Justification of Variance

**QuikTrip No. 467
3875 S. Priest Drive**

1. **There are special circumstances or conditions applying to the land, building or use referred to in the application which do not apply to other properties in the district.**

The sites in question are located at the northeast corner of Priest and Manhattan Drives (the "Property"). The south two lots are zoned R-O and is currently vacant. The north lot is zoned R1-6 and is developed with a single-family residence and storage uses. The Property is proposed for development in two phases under a General Plan of Development. QuikTrip proposes to develop the south portion of the Property with a new gasoline sales facility and retail store in Phase 1. The north portion of the Property is proposed for development with a self-storage facility in Phase 2.

The proposed project includes seven (7) variances, two pertaining to Phase 1 and five pertaining to Phase 2. The variances are as follows:

1. A variance to allow a service station at other than the intersection of two arterial roads (Phase 1);
2. A variance to eliminate the required 8-foot high masonry wall along the north property line (Phase 1);
3. A variance to provide a zero (0) foot side yard building setback where 40 feet is required for the south property line of Phase 2;
4. A variance to provide a twenty-seven (27) foot side yard building setback where 53 feet is required for the north property line of Phase 2;
5. A variance to provide a twenty-seven (27) foot rear yard building setback where 53 feet is required for the east property line of Phase 2;
6. A variance to reduce the minimum required height for a masonry wall along the north property line of Phase 2 from eight (8) feet to six (6) feet, beginning approximately 210 feet west of the northeast corner of the site and extending west approximately 16 feet; and
7. A variance to allow a trash enclosure and parking maneuvering area to encroach into the required landscape buffer thereby reducing the required landscape buffer along a portion of the north side of Phase 2 from fifteen (15) feet to zero (0) feet for the trash enclosure and from fifteen (15) feet to ten (10) feet immediately east and west of the trash enclosure.

JUN 12 2002

CS

Justification of Variance

QuikTrip # 467

Page 2 of 3

Variance No. 1 proposes to permit a service station to be located at the northeast corner of Priest Drive and Manhattan Drive. This intersection is not an arterial intersection. A QuikTrip facility is unlike other gasoline convenience store in the market in that they are appropriately located off corner to provide for neighborhood services as well as traveler services. As the proposed use does not include the servicing of vehicles, the use is no more intensive than other uses permitted by right in the PCC-1 zone.

Variance No. 2 is requested to eliminate the required 8-foot high masonry wall along the property line between Phase 1 and Phase 2. There is not a need for a screen wall between two commercial uses.

Variance No. 3 seeks to reduce the required side yard building setback to a property line from forty (40) feet to zero (0) feet for the south portion of Phase 2, adjacent to the common property line with Phase 1. The proposed zero-foot building setback will not affect Phase 1 development and is appropriate given the low intensity use proposed for Phase 2.

Variance No. 4 seeks to reduce the required side yard building setback to a property line from forty (40) feet to twenty-seven (27) feet for the north property line of Phase 2. The proposed building setbacks are appropriate given the low intensity use proposed for Phase 2.

Variance No. 5 seeks to reduce the required rear yard building setback to a property line from fifty-three (53) feet to twenty (20) feet for Phase 2. The required rear yard setback is established at 53 feet based upon a proposed building height of 28 feet which provides that an additional 13-foot building setback be provided in addition to the base requirement of 40 feet. The existence of a sixteen-foot alley located adjacent to the rear yard and the fact that the entire 20-foot setback will be landscaped provides a substantial buffer for the project. Including the sixteen (16) foot alley, an effective rear setback of 36 feet between the proposed building and the residences located to the east exists. The proposed building setback is appropriate given the low intensity use proposed for Phase 2.

Variance No. 6 seeks to reduce the minimum required height for a masonry wall along the north property line of Phase 2 from eight (8) feet to six (6) feet for a portion of the north property line near Priest Drive, beginning at the proposed trash enclosure. There is no impact to the reduced wall height given the area in which it is located. No impact to adjacent properties will be realized.

Variance No. 7 seeks to allow a trash enclosure and parking maneuvering area to encroach into the required landscape buffer for a portion of Phase 2. This variance will reducing the required landscape buffer along a portion of the north side of Phase 2 from fifteen (15) feet to zero (0) feet for the trash enclosure and from fifteen (15) feet to ten (10) feet immediately east and west of the trash enclosure.

JUN 12 2003

C6

2. The above special circumstances or conditions are pre-existing and are not created or self-imposed by the owner or applicant.

The limitation of gasoline facilities to arterial intersections is an old criterion. The intent of this standard is to place these uses where traffic concentrations are highest. However, as Tempe has grown, traffic patterns at arterial intersections are high and the concentration of these uses at intersections is not always the best solution. In recent years, gasoline facilities have transitioned away from the traditional service station to the more modern fueling facility with retail sales. In fact, a gasoline facility that is a "service station" is unusual. A number of gasoline facilities that do not include the servicing of automobiles have been approved at other than arterial intersections. Included in these are the QuikTrip facilities located at Warner and Hardy Roads, Broadway and Terrace Roads, University Drive and 52nd Street, and Baseline Road, east of Rural, as well as the Kicks 66 facility at Elliot and Hardy Roads.

The proposed setback variances for Phase 2 are consistent with building setbacks provided at other self-storage facilities in the City of Tempe. Given the low-intensity nature of this use, there is no impact from the requested variances.

3. The variance is necessary for the preservation and enjoyment of substantial property rights. Without a variance the property cannot be used for purposes otherwise allowed in this district.

The requested variance will provide for the development of a use that is appropriate for this property and will provide service uses and buffering for the area. The property has not and likely will not be developed for office use. Office uses in the area are concentrated along Baseline Road, west of the I-10 Freeway and along Rural and McClintock Roads. Single-family land use is not appropriate for property fronting on a major arterial roadway.

4. The authorizing of the variance will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, or to the neighborhood or the public welfare.

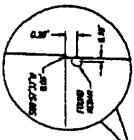
The proposed development will not be detrimental to the area. The gasoline facility has been designed to orient to Priest Drive to minimize any impact to the residential area located to the east. The self-storage facility is a low-intensity use that is also of benefit to the area.

JUN 12 2009

C7

FOR

PHASE I -OUKTRIP #467 AND PHASE II -McPETER'S STORAGE
IN SECTION 33, TOWNSHIP 1 NORTH, RANGE 4 EAST,
GILA AND SALT RIVER BASE AND MERIDIAN,
MARICOPA COUNTY, ARIZONA,

[illegible]

PHASE 1 PHASE 2

THE AREA BETWEEN 1000 S.F. (RUBEN ARCELY
STREET) AND 1000 S.F. (RUBEN ARCELY
STREET) IS A 1000 S.F. (RUBEN ARCELY
STREET) AREA.



LANDMARK
ENGINEERING INC
1214 North 14th Street
Phoenix, Arizona 85016
Tel: 602.591.2999

SGF - XXXXX DXXXXX RECORD

2008-01-24 10:00 AM

MAY 16 2003

[illegible]

QuikTrip Facility #467 + McPeters Storage Priest Drive, Tempe, Arizona

Schematic
NOT FOR CONSTRUCTION

May 14, 2022
PROJECT / CASE # 274 6886
CITY OF TEMPE
Project Job Number 2202

MAY 16 2003

QUESTIONS

SCALE 1" = 20'-0"

Project Job Number: 2000
CITY OF TEMPE

MAY 16 2003

Irby Studios
Architects and Planners

855 South Ash Avenue, Tempe, Arizona 85281
(480) 894-8380

D2

Project Data

PHASE I

OWNER: OutTrip Corporation
Corporated Offices
2141 EAST BROADWAY ROAD, SUITE 201
TEMPE, ARIZONA 85282
(480) 446-6300
FAX (480) 446-6362

PROJECT ADDRESS: 3875 SOUTH PRIEST DRIVE
TEMPE, ARIZONA

CONSTRUCTION CODE:
WITH CITY OF TEMPE AMENDMENTS

EXISTING ZONING: R0 and RI-6

ZONING - REQUESTED: P.A.D. (PCC-1)

SETBACKS: 50'-0" - FRONT, 40'-0" - SIDE, REAR, STREET

GROSS SITE AREA: 93,032 SF. or 2.135 ACRES

NET SITE AREA: 84,792 SF. or 1.946 ACRES

BUILDING AREA: 15,297 SF.
4,995 SF. GROSS FLOOR AREA
424 SF. COVERED ENTRY AREA
STORE BUILDING AREA 5,419 SF.
FUEL ISLAND CANOPY AREA 9,878 SF.

SITE COVERAGE: 15,297 SF. GROSS AREA / 84,792 SF. = 18%

LANDSCAPE ON SITE: 34,653 SF. / 84,792 SF. = 40%

BUILDING HEIGHT: (1) - STORY = 18'-8"

CONSTRUCTION TYPE: V-N, (A.F.E.S. - Fire Sprinklered)

OCCUPANCY GROUP: STORE - M
FUELING ISLAND - S-3

OCCUPANT LOAD: 83 OCCUPANTS
RETAIL = 2266 SF / 30 = 75.5
STORAGE and STOCK = 2,048 SF / 300 = 6.82

VEHICLE PARKING REQUIRED: 4,995 SF = 1 SPACE PER 250 SF = 20 SPACES

VEHICLE PARKING PROVIDED: 31 SPACES

BICYCLE PARKING REQUIRED: 3 BICYCLES

CONVENIENCE STORE 4,995 SF = 1 SPACE PER 2000 SF = 3 = 3 SPACES

BICYCLE PARKING PROVIDED: 3 BICYCLES

PHASE II

OWNER: BILL McPETERS
8020 SOUTH 38th WAY
PHOENIX, ARIZONA 85042
(620) 431-1513
FAX (620) 431-1514

PROJECT ADDRESS: 3803 SOUTH PRIEST DRIVE
TEMPE, ARIZONA

EXISTING ZONING: RI-6

ZONING - REQUESTED: P.A.D. (PCC-1)

SETBACKS: 50'-0" - FRONT, 40'-0" - SIDE, REAR, STREET

GROSS SITE AREA: 37,269 SF. or .88 ACRES

NET SITE AREA: 36,609 SF. or .84 ACRES

TOTAL BUILDING AREA: 47,940 SF.
2 STORY at 15,980 SF. EACH = 31,960 SF.
BASEMENT LEVEL = 15,980 SF.

SITE COVERAGE: 15,980 SF. / 36,609 SF. = 43%

LANDSCAPE ON SITE: 8,054 SF. / 36,609 SF. = 22%

BUILDING HEIGHT: (2) - STORY = 25'-4"

CONSTRUCTION TYPE: V - ONE-HOUR, (A.F.E.S. - Fire Sprinklered)

OCCUPANCY GROUP: MINI-STORAGE S-1

OCCUPANT LOAD: 96 OCCUPANTS
WAREHOUSE = 47,940 SF / 500 = 96

VEHICLE PARKING REQUIRED: 47,940 SF = 1 SPACE PER 5,000 SF = 10 SPACES

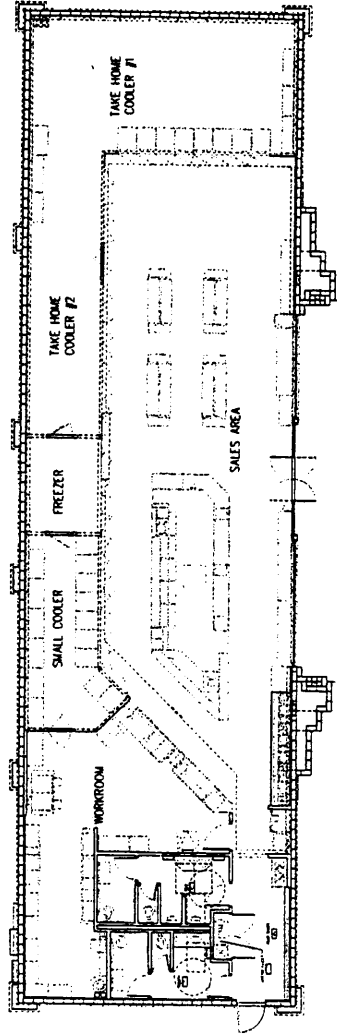
VEHICLE PARKING PROVIDED: 13 SPACES

BICYCLE PARKING REQUIRED: NONE

MAY 16 2003

D3

E



Building Plan

Phoenix 5000 Ultra Extended QuikTrip Store
NEC Priest & Manhattan Drive, Tempe, AZ

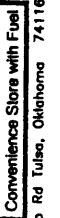
Store No: 467

Date: 02/11/03

Scale: 1/8" = 1'-0"



Convenience Store with Fuel
QuikTrip Corporation (918)(836-8551) 901 N Mingo Rd Tulsa, Oklahoma 74116

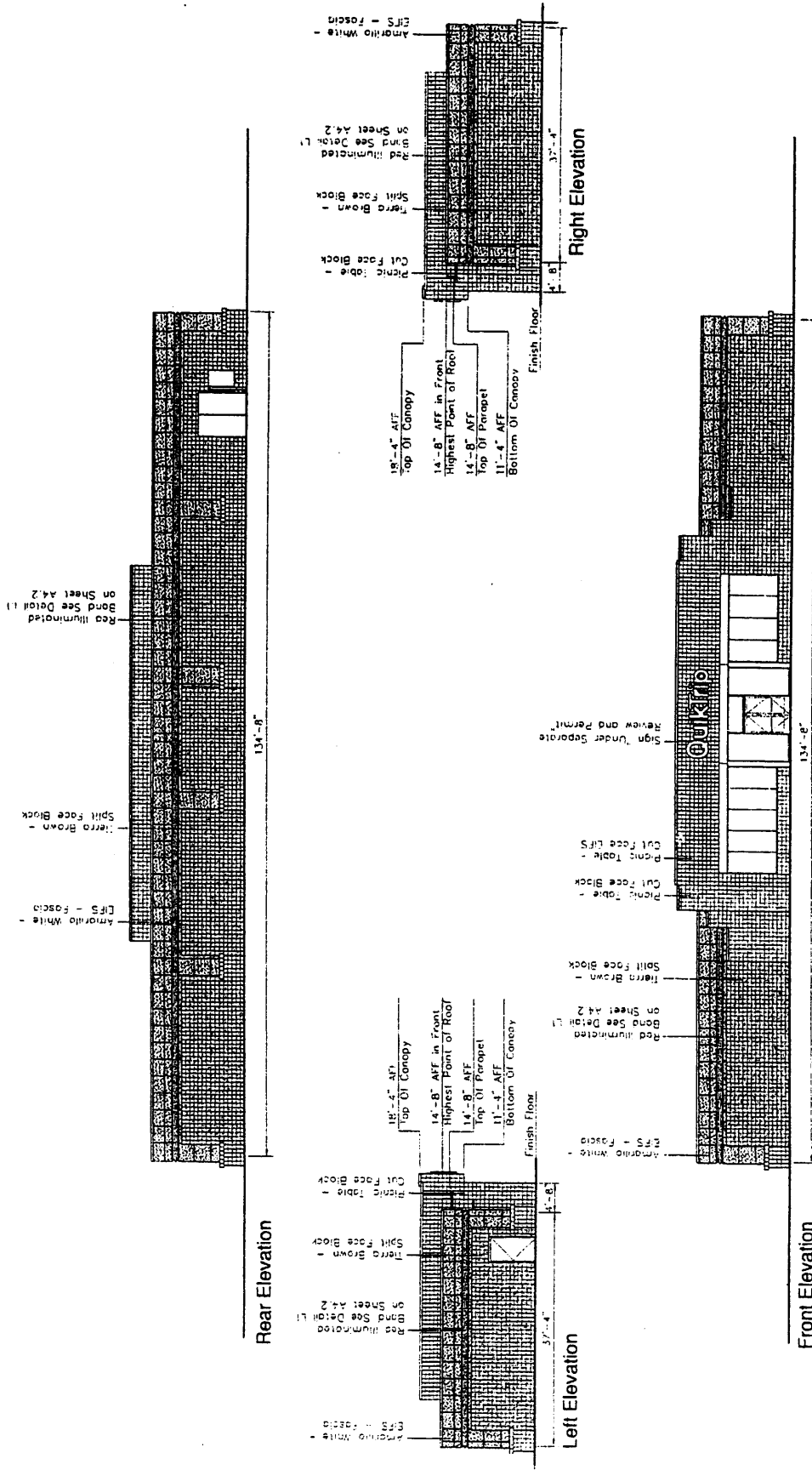


Scale: 1/8" = 1'-0"

K:\Reference Details\Presentation Exhibits\Building Elevations\Custom Elevations\Phx5000-4Sided-NoK037-CAD-Elev.dwg Feb 07, 2003 - 2:12pm

QuikTrip Corporation (918)(836-8551) 901 N Mingo Rd Tulsa, Oklahoma 74116

Phoenix 5000 Ultra Extended QuikTrip Store
NEC Priest & Manhattan Drive, Tempe, AZ



Phoenix Doublestack 10 Gas Canopy
NEC Priest & Manhattan, Tempe, AZ

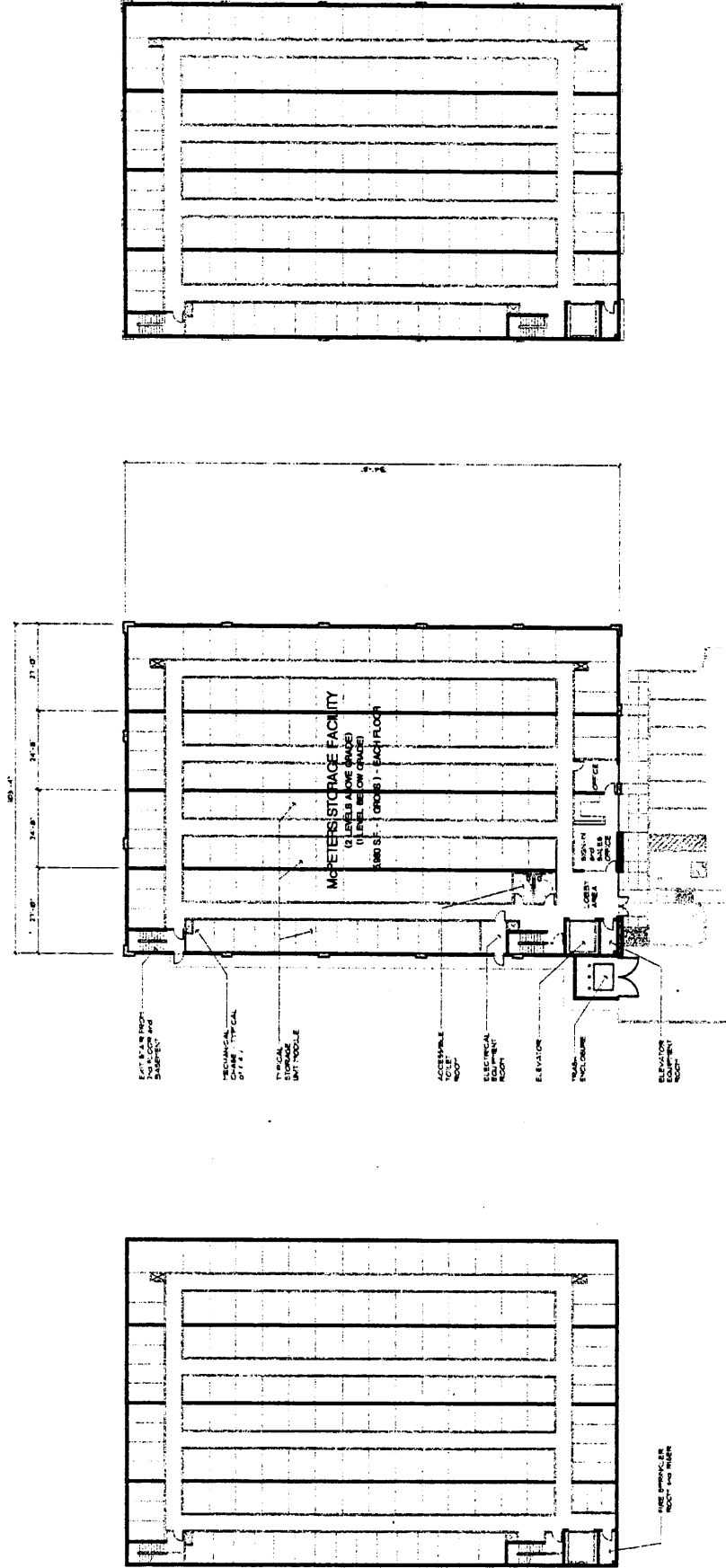
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Feb 07, 2003 - 11:02am



6



BASEMENT

GROUND LEVEL

2nd LEVEL

Proposed Conceptual Architectural Floor Plan - 01

McPeters / QuikTrip Corporation

QuikTrip Facility #467 + McPeters Storage

**Irby Studios**
Architects and Planners

605 south ash avenue, tempe, arizona 85281 (480) 894-8380

Schematic
NOT FOR CONSTRUCTION

APR 15 2003 PROJECT / CASE ▶ SPN 000000

Project Job Number 2208

Subscription Zones

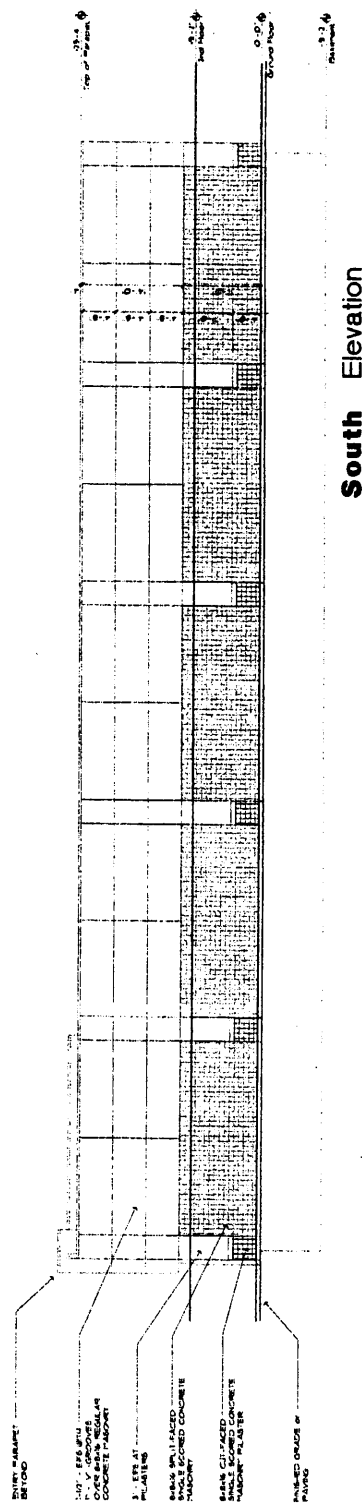
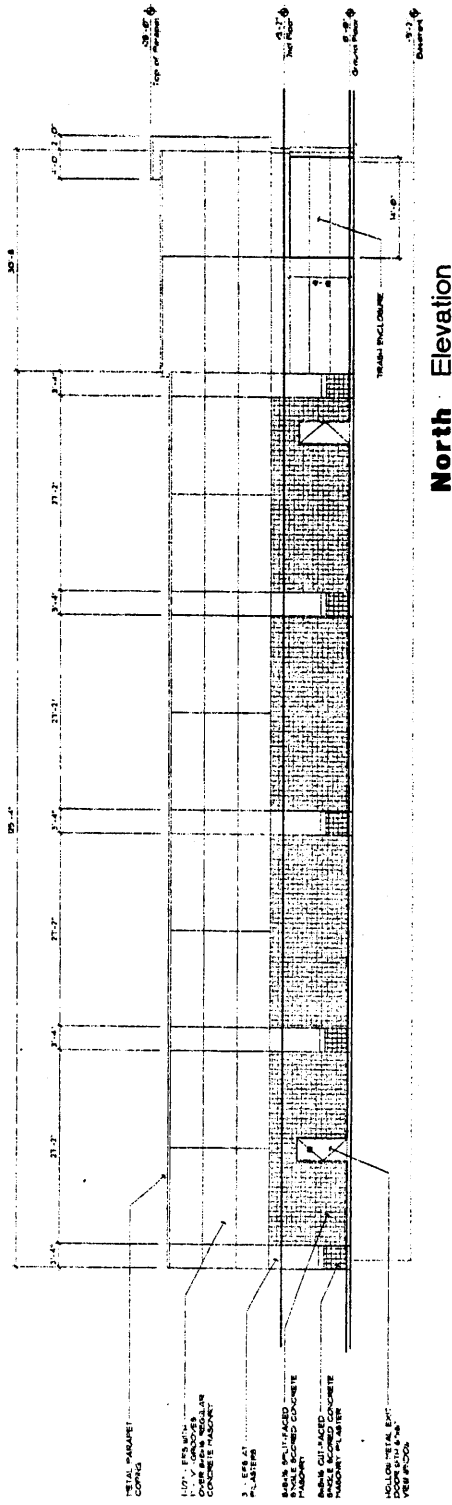


SCALE 1/16" = 1'-0"

Project Job Number 2208

Subscription Zones

II



Proposed Conceptual Exterior Elevations - 02 McPeters / QuikTrip Corporation QuikTrip Facility #467 + McPeters Storage Priest Drive, Tempe, Arizona



Irb Studios
Architects and Planners

605 South Ash Avenue, Tempe, Arizona 85281 (480) 884-8380

Schematic
NOT FOR CONSTRUCTION

APR 18 2003

REVIEW SUBMITTAL

PROJECT / CASE # 001-0000

Project Life Number: 2000

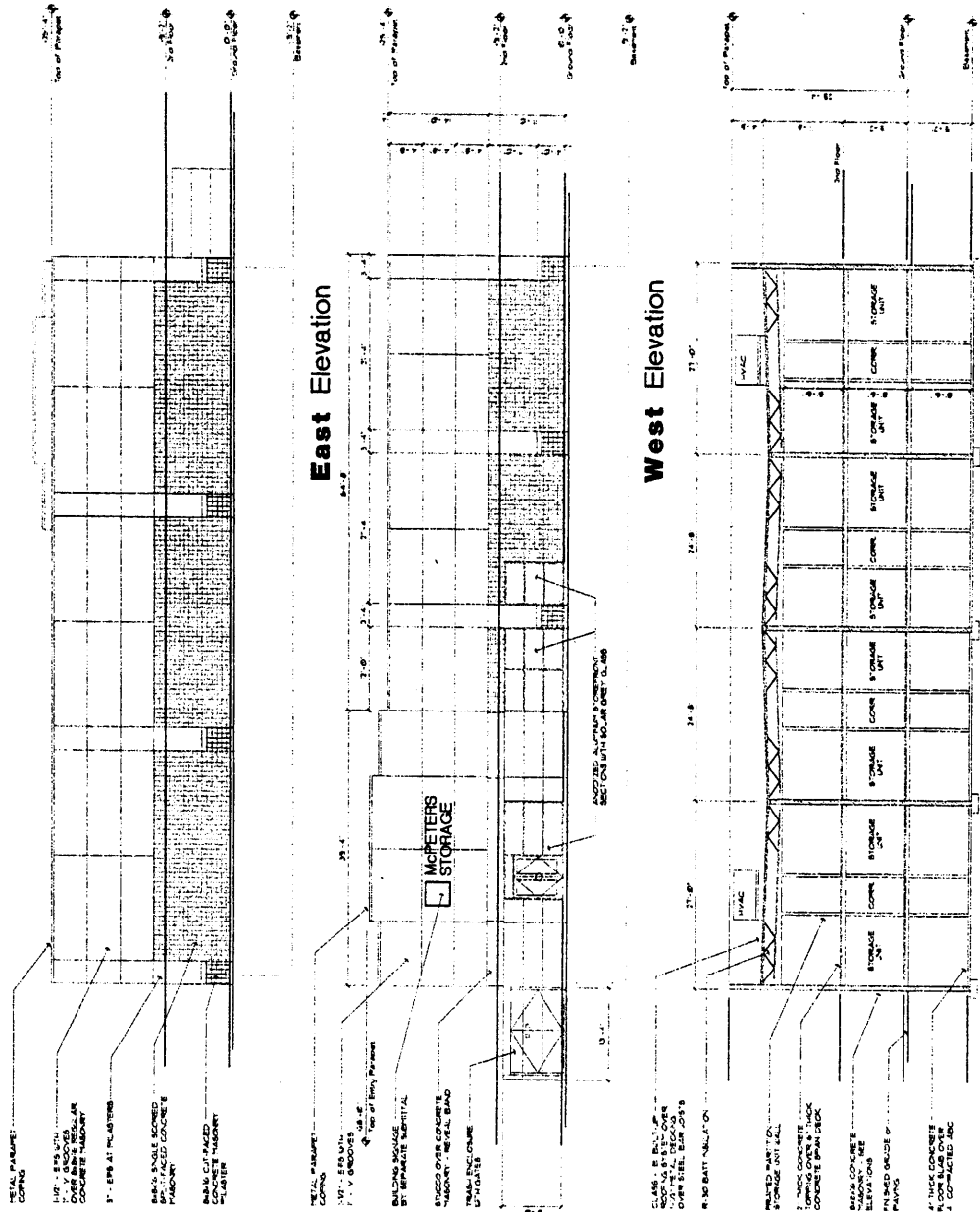
CITY OF TEMPE

SCALE 1/8" = 1'-0"

Planning Zoning

4

I



Proposed **Conceptual Exterior Elevations - 02**
QuikTrip Facility #467 + McPeters Storage

Irby Studios
 Architects and Planners
 605 south ash avenue, tempe, arizona 85281 (480) 994-9380

APR 18 2003

Schematic
 NOT FOR CONSTRUCTION

SCALE 1/8" = 1'-0"
 CITY OF TEMPE

April 28, 2003

City of Tempe:
Mayor and City Council
Planning and Zoning Commission
Design Review Board

RE: Proposed Quik Trip at the northeast corner of Priest Dr. and Manhattan Dr.
(ZON 2003.05, GEP 2003.02, SGF 2003.21, and SBD 2003.22)

Esteemed leaders of our community:

The subject site is located on the edge of my neighborhood, a site that I pass by at least twice everyday on my way to and from work. Although I am not opposed to the proposed land use (a gas station and mini-storage), I believe there are certain design modifications that can be easily applied to the gas station in order to make it more compatible with the adjacent neighborhood.

Quik Trip gas stations that have recently been constructed around the valley all appear to have the same design; long and massive fuel canopies, and box-like convenience stores that have a dark brown and red color scheme that will likely become quickly outdated. Such a design is more appropriate for a regional commercial location. The proposed gas station should be "toned down" to be more compatible with the adjacent neighborhood. I suggest this be accomplished by making the following design modifications:

1. Reduce the number of fuel pumps in order to reduce the size of the canopy
2. Eliminate any illuminated signs and any forms of lighting (including any internally illuminated bands around the building or the canopy) that are facing the residential neighborhood. Minimize illuminated signs and banding on the building and canopy that face Priest Drive and any free-standing signs to fit in with the residential character of the area.
3. Apply a color scheme that is more compatible with the adjacent neighborhood that will have an element of "timelessness" (something less bold and dated than the proposed dark brown and red).
4. Provide an adequate landscape buffer (should include several evergreen trees with a minimum size of 36" box at time of installation) between the neighborhood and the gas station.
5. Provide generous on-site landscaping (with mature trees and shrubs) to "soften" the view from Priest Drive. This would include landscaping around the convenience store, any pedestrian features such as an outside table, along both streets, and the perimeter of the site.

In my opinion, the corporate or standard Quik Trip design that we've seen constructed elsewhere, is not appropriate at the subject site because it is not compatible with the

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APR 28 2003

adjacent neighborhood. However, I believe that if the suggestions listed above were implemented, the gas station would be compatible with the adjacent residential neighborhood, and would have my full support. We should make every attempt to create well-designed developments that make good planning sense and are aesthetically pleasing in our city.

As a concerned resident, I greatly appreciate the opportunity to comment on the proposed development. Thank you for your time and attention.

Respectfully,



David De La Torre
1063 W. La Jolla Drive
Tempe, AZ 85282

APR 28 2003

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May 7, 2003

Roberto E. Corella
1258 W. Manhattan Dr.
Tempe AZ 85282

Dear Ms. Kimbrell,

I wish to express my concerns over the QuickTrip scheduled to be built on Priest Dr. and Manhattan Dr. I am opposed to this project for several reasons. My home will be negatively impacted by this project.

- 1) I feel my property value will diminish as a result of this project. If and when I decide to sell my home I will not be able to sell my home at fair market value with a gas station right next door.
- 2) The traffic on Manhattan will increase substantially thereby being an inconvenience as well as unsafe for my family and me. I have 14 grandchildren who visit me often and I do not wish for them to be endangered by the additional traffic.
- 3) The noise coming from this project will also be an inconvenience. If this station is open 24 hours per day, I believe the noise will affect my ability to sleep at night. At other convenience markets/gas stations I have observed customers squealingy their tires when leaving the facility.
- 4) The fumes produced by the fuel as well as the traffic in and out of the station will be a danger to my health as well as my wife's who suffers from asthma. More often than not, the wind blow from West to East and the fumes will be blown directly into my home.
- 5) The lights required to keep the station lit at night will be another inconvenience. Again, I believe the additional lights will affect my ability to sleep at night.

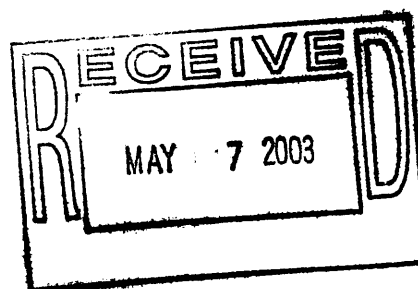
All of the issues above will compromise my peaceful enjoyment of my own property. I am a retired man on a fixed income. I cannot afford to sell my home as a result of this project. After living in this house for over 30 years, I do not feel it is fair I should be forced out of my home in order to live in a quiet neighborhood.

Thank you for your time and consideration on this matter.

Sincerely,

Roberto E. Corella

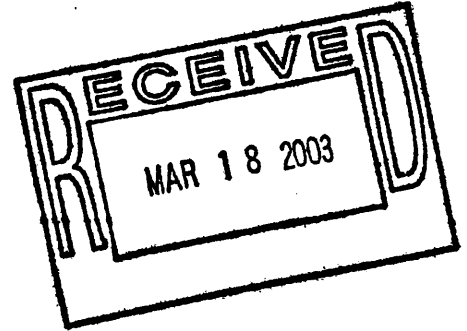
K,
QUICKTRIP



Betty Wilkerson
3907 South Priest Dr. #3
Tempe, Arizona 85282

March 16, 2003

Planning and Zoning Commission
P.O. Box 5002
Tempe, Arizona 85282



Dear Sirs;

I own and live in one of the apartments right across the street from where you are proposing to construct a new "Quiktrip." My concern is that the noise level will increase to such a degree that my tenants and myself will not be able to sleep at night. I have 3 bedroom windows on Manhattan. This is my livelihood and I don't want anything to jeopardize my income from these apartments.

I would feel better if a wall is constructed and there is no access or driveway on Manhattan. I'm sure there will be a wall to the east to separate the residential housing. My property is located on the south and I feel we deserve the same consideration.

I hope you will answer my letter and we can come to some agreement on this matter so close to my home. We already have had to deal with the numerous widening of Priest and encroachment onto my property plus the freeway off ramp is only a few feet from the bedroom windows at the south end of my property. Where does it end???? We also get homeless beggars that frequent the freeway exits. They camp out not 10 feet from our bedroom windows. If the city would help me put up a wall around my property it would solve all my problems.

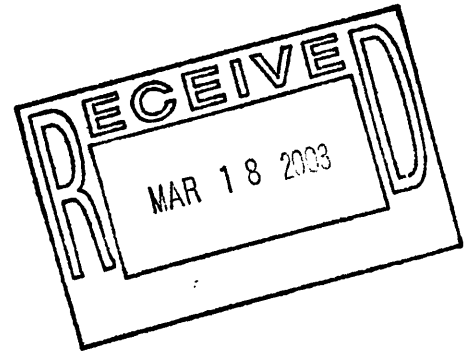
K₂

I have already complained to the City of Tempe that they have encroached on my property when they widened Priest. I asked them to do a survey but they didn't even return my phone call. I know the city has put up walls for residential when the traffic noise has increased. Well the traffic noise has tripled here since 1995, but because I am such a small operation no one listens to my complaints.

Thank you,

Betty Wilkerson

Betty Wilkerson



K₂

D&R

*I n v e s t m e n t
&
M a n a g e m e n t*

1801 S. Jen Tilly Lane • Suite C-4 • Tempe, Arizona 85281 • (480) 966-1468

June 5, 2003

City of Tempe
Planning Department
31 East Fifth Street
Tempe AZ 85280

RE: Springdale Condominium Association
Quiktrip #467

Dear Ms. Kimbrell;

Perhaps we should just hand Quiktrip the keys to Tempe, as they seem to do whatever it is they want, with The City's blessing.

I am writing on behalf of Springdale and they are against allowing the variances as requested by Quiktrip, especially c. and d. To have a building setback of 0 feet from the property line is ludicrous to say the least.

I have been to meetings of your Planning & Zoning Commission; they have their minds made up before the meeting ever starts so that nothing said in objection is paid any attention or given any merit.

Sincerely,



Richard E. Pennell
For Springdale Condominium Association

RECEIVED
03 JUN -9 AM 10:47
TEMPE PLANNING
SERVICES DEPARTMENT

K3

May 15, 2003

Kenneth Boontjer
3904 So. Margo Dr.
Tempe, AZ 85282



TO WHOM IT MAY CONCERN:

As a home owner in the area involved in the discussion of the Quiktrip #467, on the corner of Priest/Manhatton, I would like to express my support for the planned site of this business.

Safety is one of my key reasons for support.

First, safety for the patrons of the area in regards to the vacant lot that produces an environment that draws children/young adults to this lot for racing/wild driving on both motorcycles and bicycles. The possibility of injury would seem obvious. Also, this type of activity produces large amounts of dust that only further disturbs the poor air quality that we already have in the valley of the sun.

Second, many cars turn off of Highway 60 with motor problems and have no place to turn for assistance or use of a phone. This will make both assistance and phone access available. No longer will such persons have to sit on the highway or street and deal with the problems of traffic.

Third, many times law enforcement people "pull over" people for violations on the Highway 60, and these people have no place to turn except for Manhatton. Since this is one of the few streets that pass through to Priest, it has a fair amount of traffic. These traffic stops then put our law enforcement persons in harm's way with traffic coming around a corner, and then suddenly be at a point of people getting out of vehicles, and in line with moving traffic.

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Besides safety, we should also consider the positive impact of the tax dollars that will be generated by such a commercial venture. This will help, not only the direct community, but the city of Tempe as a whole.

Thus, I stand in support of the proposed construction of Quiktrip #467.

Thank you,
Ken Boontjer

Ken Boontjer



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ORDINANCE NO. 808.2003.05

AN ORDINANCE AMENDING SECTION I OF PART 2.F. OF
ORDINANCE NO. 808 OF THE CITY OF TEMPE AND THE
DISTRICT ZONING MAP ACCOMPANYING AND MADE
PART OF THE SAID ORDINANCE NO. 808.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE,
ARIZONA, as follows:

SECTION 1. That Section I.2.F. of Ordinance No. 808 of the Zoning Ordinance
of the City of Tempe and the District Zoning Map of the City of Tempe accompanying and made
a part of the said Ordinance No. 808 be and they are hereby amended by removing the below
described property from the

LEGAL DESCRIPTION – QT467 Property

Parcel No. 1:

That part of the Southwest quarter of the Northwest quarter
of Section 33, Township 1 North, Range 4 East of the Gila
and Salt River Base and Meridian, Maricopa County,
Arizona, lying North of the North right-of-way line of the
Superstition Freeway, as described in Final Order of
Condemnation recorded December 9, 1968 in Docket 7382,
Page 484;

Except any portion thereof lying within Roosen Heights,
according to the plat of record in the Office of the County
Recorder of Maricopa County, Arizona, recorded in Book
135 of Maps, Page 14; and

Except the East 22 feet of the West 55 feet of the North
150.02 feet of the Southwest quarter of the Northwest
quarter of Section 33, Township 1 North, Range 4 East of
the Gila and Salt River Base and Meridian, Maricopa
County, Arizona; and

Beginning at a point on the North right of way line of Manhattan drive lying 55 feet East of the West line of said Southwest quarter of the Northwest quarter;

Thence continuing East along said right of way line, a distance of 20 feet;

Thence Northwesterly to a point lying 20 feet North of the Point of Beginning and 55 feet East of the West line of said Southwest quarter of the Northwest quarter;

Thence South 20 feet to the True Point of Beginning, as quit-Claimed to the City of Tempe, as set forth in instrument recorded at recorders No. 94-0836284 and thereafter re-recorded at Recorders No. 95-0576849.

Parcel No. 2:

The South 165 feet of the West half of the West half of the Northwest quarter of the Northwest quarter of Section 33, Township 1 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Except the East 22 feet of the West 55 feet of the South 165 feet of the West half of the West half of the Northwest quarter of the Northwest quarter of Section 33, Township 1 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, as quit-claimed to the City of Tempe, as set forth in instrument recorded at Recorders No. 94-0836284 and thereafter re-recorded at recorders No. 95-0576849

LEGAL DESCRIPTION – McPeters Property

The North 132.00 feet of the South 297.00 feet of the West half of the West half of the Northwest quarter of the Northwest quarter of Section 33 Township 1 North, Range 4 East of the Gila and Salt River Base and Meridian Maricopa County, Arizona

Except the West 55 feet.

As set forth in instrument recorded at Recorders No. 90-0538810

SECTION 2. Further, those conditions of approval imposed by the City Council, Case #ZON-2003.05 are hereby expressly incorporated in ordinance by this reference.

PASSED AND ADOPTED by the City Council of the City of Tempe, Arizona,
this ____ day of _____, 2003.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Development Services Manager

RESOLUTION NO. 2003.09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF TEMPE, ARIZONA, MODIFYING THE PROJECTED
LAND USE MAP OF **GENERAL PLAN 2020** FOR
3.01 GROSS ACRES AT 3875 SOUTH PRIEST DRIVE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE,
ARIZONA, that the Projected Land Use Map of **General Plan 2020** be modified at 3875 South
Priest Drive to show 3.01 gross acres of Commercial: Retail rather than Residential greater than 8
units per acre.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
TEMPE, ARIZONA, this ____ day of _____, 2003.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

N

